



Attorney Docket No. 051481-5053

#191 Letter
Shawn
3/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Peter HUENIKEN *et al.*)
Application No.: 09/639,083)
Filed: 16 August 2000)
For: MULTIPLE AXIS CONNECTION SYSTEM)

Confirmation No.: 3067
Group Art Unit: 2839
Examiner: Prasad, C.

Box RCE
Commissioner of Patents
Washington, D.C. 20231

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**COMMENTS ON ADVISORY ACTION THAT
ACCOMPANY A REQUEST FOR CONTINUED EXAMINATION**

Sir:

These comments are being filed concurrently with a Request for Continued Examination. A request to enter the Amendment and Request for Reconsideration Under 37 C.F.R. § 1.116, which was previously filed 19 February 2003 (as evidenced by the attached copy of the U.S. Patent and Trademark Office Auto-Reply Facsimile Transmission) and the entry of which was denied in the Advisory Action issued 27 February 2003, is also being filed concurrently herewith.

The Advisory Action states that the Amendment would not be entered because it raises new issues that would require further consideration and/or search and raises the issue of new matter. In particular, the Advisory Action asserts “[e]ach projection having a pair of faces and each groove having two surfaces have been neither described in the specification nor shown in the drawings and identified by reference numbers Page 5, lines 13-18 do not mention these features as alleged by the applicant.” The assertion that the amendment introduces new matter, as opposed to raising a new issue requiring further consideration, is respectfully traversed in view of the following comments.

The specification as originally filed, at page 5, lines 13-18, states that:

“Figure 3 shows the component 20 secured with the connection system according to the claimed invention. The retention surface 30 in the illustrated embodiment comprises a pair of grooves 32, each having a C-shaped channel 34 along the length of an inner surface. The projections 12,14 and the channels 34 are dimensioned so that the projections 12,14 slidingly fit closely within the channels 34. Relative motion

between the projections 12,14 and the grooves 32 is limited to sliding motion along the length of the channels 34.”

It is respectfully submitted that, in connection with the drawing figures (e.g., Figure 4), a slidingly close fit relationship between faces of the projections 12,14 and surfaces of the groove 34, that prevents relative displacement perpendicular to the sliding plane, is supported by the specification as originally filed.

Thus, it is respectfully submitted that the assertion in the Advisory Action that the Amendment introduces new matter is in error and should be withdrawn. If it would be helpful, Applicant can submit copies of the drawings as originally filed that are annotated to indicate the face and surface features that are shown.

It is respectfully submitted that the application is in condition for allowance for at least the reasons stated in the Amendment. An early indication of allowance is earnestly solicited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. **This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).**

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: 13 March 2003

By: 

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CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BOX AF

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AMENDMENT TRANSMITTAL FORM

Sir:

1. Transmitted herewith is an Amendment and Request for Reconsideration Under 37 C.F.R. § 1.111 in reply to the Office Action dated 15 November 2002.
2. Additional papers enclosed:
 - ☐ Change of Correspondence Address
 - ☐ Request for Approval of Drawing Change
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ reference(s) included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.